

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of the present application in view of the reasons that follow. Claims 1, 2, 4-14, 16-23, and 25 are currently pending in this application.

Rejections Under 35 U.S.C. § 103(a)

A. Claims 1, 2, 4-8, 10-14, 16-23, and 25

In Section 6 of the Office Action, Claims 1, 2, 4-8, 10-14, 16-23, and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,006,671 to Yamaguchi (hereinafter “Yamaguchi”) in view of U.S. Patent No. 7,068,309 to Toyama et al. (hereinafter “Toyama”). Applicants respectfully traverse the rejection.

1. Not all Claim Limitations Shown

On pages 3-4 of the Office Action, the Examiner points to Col. 5, lines 31-54, of Yamaguchi as showing:

including time information with the captured media, biometric, and database information associated with an individual to create a multi-modal chronological dossier of the individual, wherein the time information includes when the media, biometric, and database information is captured;

However, the section cited by the Examiner, Col. 5, lines 31-54, states:

The storage device 11 stores, for each registered person, pieces of information including the captured image or extracted feature as the specific information of the registered person, the dictionary, the name of the registered person, the registration number, the registration date when these pieces of information are stored in the storage device 11, and the use situation such as the date/time and place of identification of the registered person. The pieces of information registered for each registered person have, e.g., the data format as shown in FIG. 2. At the initial time, the pieces of information are arranged in the order of, e.g., registration.

The presentation device 12 can present the pieces of information stored in the storage device 11, including its sequential structure, to the administrator who administers the personal identification apparatus, as needed. For example, when the administrator requests the personal identification apparatus to present “persons to be identified, who recently used the personal identification apparatus” or “images of persons who used the personal identification apparatus from X to Y o’clock”, pieces of information stored in the storage device 11 are read out and presented to the

presentation device 12. The administrator can easily obtain necessary information at a necessary time.

Thus, Yamaguchi describes a *logging* system which provides information on people who used an apparatus during a particular sequence. There is no suggestion or teaching in Yamaguchi that the Examiner has pointed to which indicates the creation of a multi-modal chronological dossier of an individual,” as required by the claims. This is made clear by the example given in the language cited by the Examiner—providing a list of persons using the device between certain times. The “logging” system of Yamaguchi is similar to Payne previously relied on by the Examiner and referred to in Applicants’ Appeal Brief. Payne teaches a transaction history (e.g., application date, time, applicant name), not a dossier or history of a person. Similarly, Yamaguchi teaches a history of usage, not a dossier or history of a person. Thus, Yamaguchi fails to suggest or teach the claim limitation which includes a “multi-modal chronological dossier of an individual.”

2. No Motivation to Combine

The Examiner admits that Yamaguchi does not teach annotating captured information. However, he suggests that one of ordinary skill in the art would be motivated to combine Yamaguchi with Toyama. As motivation for this combination, the Examiner points to Col. 3, lines 25-37, of Toyama, which states:

The system and method according to the present invention solves the problems associated with sharing photographs and other images on-line. It allows a user to easily share images with a specific small group of people, a larger group of people, or the whole world. It allows a user to keep the images on his or her own computer, vice a server, thereby overcoming problems associated with downloading the images to a website. It overcomes server storage limitations, resolves photo management/update issues, and provides for a less labor-intensive image annotation scheme. It also adequately addresses privacy concerns through a sophisticated access design.

However, this section of Toyama provides an explanation of the solutions that the system in Toyama offers. Plainly put, the nature of the problem in Toyama is overcoming difficulties of loading images to a server, transferring the images, and locating the images to enable sharing of photographs and other images on-line. Thus, the nature of the problem pointed to by the Examiner has nothing to do with the claim limitation of annotating captured information. Why

would a person of ordinary skill look to Toyama for the teaching of annotation of captured information that is missing from Yamaguchi? The Examiner has not provided any suggestion or motivation to make the combination for this purpose.

3. Summary

The combination of Yamaguchi and Toyama does not suggest or teach all of the limitations required by the claims. Specifically, the rejected claims require a “multi-modal chronological dossier” of an individual. Yamaguchi fails to show this claim element for the same reason Payne did in the appeal. There is also not a motivation to combine these references for the purpose of providing the teaching of annotating captured information. Applicants respectfully request withdrawal of the rejection of Claims 1, 2, 4-8, 10-14, 16-23, and 25 under 35 U.S.C. § 103(a).

B. Claim 9

In Section 7 of the Office Action, Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamaguchi in view of Toyama, and further in view of U.S. Patent No. 6,047,282 to Wilson et al. (hereinafter “Wilson”). Applicants respectfully traverse the rejection.

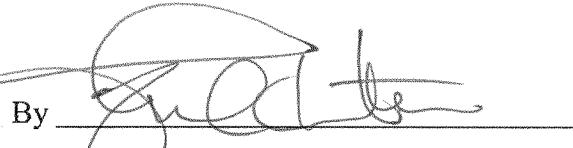
Claim 9 depends from Claims 1, 7, and 8. As discussed above, the combination of Yamaguchi and Toyama does not suggest or teach all of the claim limitations of Claim 1. Further, as discussed above, there is no motivation to combine Yamaguchi and Toyama. The Examiner notes that Yamaguchi and Toyama do not teach “speech” but that Wilson allegedly does at Col. 7, lines 19-35. Applicants discussed Wilson at length in the Appeal Brief, filed on July 7, 2006. Wilson does not teach all of the claim limitations of Claim 1, as discussed in the Appeal Brief, and in a prior Office Action, the Examiner admitted Wilson does not teach the claim element including the “chronological dossier” element missing from Yamaguchi and Toyama. (See page 4, Final Office Action dated February 10, 2006.) Accordingly, the combination of Yamaguchi, Toyama, and Wilson do not suggest or teach all of the limitations required by Claim 9.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 50-2350.

Respectfully submitted,

By 

Date January 3, 2007

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4292
Facsimile: (608) 258-4258

Paul S. Hunter
Attorney for Applicants
Registration No. 44,787